

Attachment A

Checklist of FCC Minimum Standards

FCC Minimum Standard (§ 64.604)	Meets	Exceeds
(a) Operational Standards		
(1) Communications assistants		X
(2) Confidentiality and conversation content	X	
(3) Types of calls	X	
(4) Handling of emergency calls		X
(5) In-call replacement of CAs	X	
(6) CA gender preference	X	
(7) STS called numbers		X
(b) Technical Standards		
(1) ASCII and Baudot	X	
(2) Speed of Answer	X	
(3) Equal access to interexchange carriers	X	
(4) TRS facilities	X	
(5) Technology	X	
(6) Voice mail and interactive menus	X	
(c) Functional Standards		
(1) Consumer complaint logs	X	
(2) Contact persons	X	
(3) Public access to information	X	
(4) Rates	X	
(5) Jurisdictional separation of costs	X	
(6) Complaints	X	
(7) Treatment of TRS customer information	X	

The mandatory minimum standards set forth in Section 64.604 of the FCC's Report and Order released July 26, 1991 as amended by the FCC's Order on Reconsideration released June 5, 2000, and MCI's statement of compliance with the respective mandatory minimum standards are described in Attachment B.

Attachment B

Narrative of FCC Minimum Standards

§ 64.604 Mandatory Minimum Standards.

(a) *Operational standards.*

- (1) *Communications assistant (CA).* TRS providers are responsible for requiring that CAs be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities; and that CAs have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications. CAs must provide a typing speed of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must give oral-to-type tests of CA speed. TRS providers are responsible for requiring that VRS CAs are qualified interpreters. A “qualified interpreter” is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

MCI believes that the CA, as the primary contact between MCI’s relay service and its users, is one of the most important components of relay service. Because of the critical nature of this role, MCI has established and adheres to rigorous standards in the hiring, training, and retention of CAs.

MCI’s intensive screening process covers typing (including oral-to-type testing at a minimum of 60 words per minute), grammar, spelling, and voice clarity skills. MCI exceeds this requirement in that its oral-to-type testing of CA typing speed does not incorporate technological aids.

MCI provides CAs extensive training in all aspects of relay communication including interpretation of typed ASL, Deaf cultural awareness, TTY usage, confidentiality, ethics, emergency call handling and relay etiquette. For STS CAs this training includes aspects of speech disability. MCI exceeds this requirement in that training in deaf culture and aspects of speech disability is provided to supervisory and customer service personnel in addition to CAs.

MCI does not currently provide VRS services. At such time as MCI does provide VRS, MCI will assure that VRS CAs, at a minimum, are qualified interpreters as defined in this requirement.

- (2) *Confidentiality and conversation content.* (i) Except as authorized by section 705 of the Communications Act, 47 U.S.C. § 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content, and with a limited exception for STS CAs, from keeping records of the content of any conversation beyond the duration of a call, even if to do so would be inconsistent with state or local law. STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls, at the request of the user. The caller may request the STS CA to retain such information, or the CA may ask the caller if he wants the CA

to repeat the same information during subsequent calls. The CA may retain the information only for as long as it takes to complete the subsequent calls. (ii) CAs are prohibited from intentionally altering a relayed conversation and, to the extent that it is not inconsistent with federal, state or local law regarding use of telephone company facilities for illegal purposes, must relay all conversation verbatim unless the relay user specifically requests summarization, or if the user requests interpretation of an ASL call. An STS CA may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the user does not object. Appropriate measures must be taken by relay providers to ensure that confidentiality of VRS users is maintained.

Confidentiality of callers' identity and content of their calls is of paramount importance in relaying calls. MCI has defined and adheres to strict confidentiality guidelines for all relay personnel.

All relay personnel must sign a Pledge of Confidentiality to ensure understanding, and must review and sign this Pledge annually. Only persons who have signed a Pledge are allowed into the production area of an MCI relay center, and observing or listening to actual calls by anyone other than the CA handling a call is prohibited except for training or quality assurance purposes. All allegations of confidentiality breach are immediately and thoroughly investigated, and the individual against whom an allegation is lodged is immediately placed on administrative leave during the course of the investigation. Any individual who, after investigation, is found to have violated customer confidentiality is terminated, and is not allowed to work in an MCI Relay Center again.

No records of call content are kept after originating call termination with the exception of records retained by request of an STS consumer for the completion of subsequent calls. All information relating to call content is automatically and completely erased from the CA console.

In accordance with FCC minimum standards, CAs are prohibited from intentionally altering a relayed conversation. To the extent that it is not inconsistent with federal, state or local law regarding use of telephone company facilities for illegal purposes, CAs relay all conversation verbatim unless the relay user specifically requests summarization, or interpretation of an ASL call. In providing STS, CAs facilitate the call of an STS user with a speech disability to the extent requested, while enabling the user to be independent and maintain control of the conversation.

MCI does not currently provide VRS. At such time as MCI does provide VRS, MCI will take appropriate measures to ensure that the confidentiality of VRS users is maintained.

(2) *Types of calls.* Consistent with the obligations of common carrier operators, CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services. TRS shall be capable of handling any type of call normally provided by common carriers and the burden of proving the infeasibility of handling

any type of call will be placed on the carriers. Providers of TRS are permitted to decline to complete a call because credit authorization is denied.

CAs are prohibited from refusing to place single or sequential calls or call attempts, and from limiting the length of calls placed by relay users. MCI is capable of handling any type of call normally provided by common carriers, including calls with termination that are local, intraLATA, intrastate interLATA, Interstate, International and to directory assistance. MCI billing options include authorized credit cards. Where a customer wishes to place a call billed to a credit card that is not authorized to accept charges, or where credit is denied by an authorized card service, CAs will attempt to solicit from the relay user an alternate method of billing the call.

- (3) *Handling of emergency calls.* Providers must use a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to the nearest Public Safety Answering Point (PSAP). In addition, a CA must pass along the caller's telephone number to the PSAP when a caller disconnects before being connected to emergency services.

MCI exceeds the FCC's mandatory minimum standard emergency call handling in that its relay platform, implemented in 1999, automatically connects to the caller's Public Safety Answering Point by cross-referencing the caller's delivered ANI with its associated PSAP contained in the emergency directory. MCI's platform also automatically transmits the caller's ANI to the PSAP.

When an emergency call request is originated from a cell phone the caller is prompted to provide a physical location. The system then looks up and dials out the associated PSAP as opposed to calling the PSAP location associated with the delivered ANI.

When the CA initiates the emergency dialing feature the console is automatically placed in a "busy" or stand-by" mode while the outgoing call is being placed to the PSAP. This process retains the caller's ANI should the caller hang up before connecting to the PSAP and prevents the console from being available for an incoming call, which would erase the caller's ANI.

- (4) *In-call replacement of CAs.* CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of ten minutes. CAs answering and placing an STS call must stay with the call for a minimum of fifteen minutes.

MCI strives in all cases to have the CA who answers a call remain on the call for its duration. In the event that it is not possible for a CA to remain with a call, the answering CA will remain with a TTY-originated call for a minimum of ten minutes and with an STS call for a minimum of 15 minutes. In-call replacements are only performed after either the caller or the called party has completed an exchange (either a typed or a verbal "GA"). When in-call replacement of a CA is performed, the change is announced to both parties immediately following the replacement.

MCI does not currently provide VRS. At such time as MCI does provide VRS, CAs handling VRS calls will remain with a VRS call for a minimum of ten minutes.

- (5) *CA gender preferences.* TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if a transfer occurs, at the time the call is transferred to another CA.

CAs provide their identification number and gender to the TTY user at the beginning and at the end of each call, and makes best effort to schedule an adequate number of CAs of both genders throughout daily operation. Callers always have the option of requesting a male or female CA, either on-line or by Caller Profile, and as feasible these requests are accommodated. When an in-call replacement is necessary, a CA of the same gender is assigned as feasible to continue handling the call.

- (6) *STS called numbers.* Relay providers must offer STS users the option to maintain at the relay center a list of names and telephone numbers which the STS user calls. When the STS user requests one of these names, the CA must repeat the name and state the telephone number to the STS user. This information must be transferred to any new STS provider.

With up to 30 possible listings, MCI offers the largest Speed Dial directory in the relay industry today, and provides this feature from a secure database. With this database, STS users can expedite their calls by simply providing the STS CA the name of the desired called person, rather than having to state the called person's phone number when placing an outbound call. STS users can add, modify or delete information in their individual Speed Dial directory.

MCI exceeds this mandatory minimum standard in that STS users can, at their option, include their names in an STS Directory so that "speech able" callers can request an outgoing call to the STS user by giving the CA the STS user's name. Further, STS users can access their Speed Dial list when away from their profiled ANI by using a pre-registered passcode or other pre-established personal identifier.

(b) *Technical standards.*

- (1) *ASCII and Baudot.* TRS shall be capable of communicating with ASCII and Baudot format, at any speed generally in use.

MCI is capable of receiving and transmitting in ASCII and Baudot format, at speeds that are generally in use.

- (2) *Speed of answer.* TRS shall include adequate staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would

experience in attempting to reach a party through the voice telephone network. TRS shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold. The ten seconds begins at the time the call is delivered to the TRS center's network. The call is considered delivered when the relay center's equipment accepts the call from the local exchange carrier and the public switched network actually delivers the call to the TRS center. Abandoned calls shall be included in the speed-of-answer calculation. A provider's compliance with this rule shall be measured on a daily basis. The system shall be designed to a P.01 standard. A LEC shall provide the call attempt rates and the rates of calls blocked between the LEC and the relay center to relay administrators and relay centers upon request.

MCI monitors relay call traffic at a minimum of every 30 minutes. On each half-hour, switching equipment generates a summary of call handling the previous 30-minute period. This summary includes the number of offered calls, the number of handled calls, the number of abandoned calls, the number of blocked (rejected) calls, the Average Speed of Answer, the Average Agent Time, and the Average Talk Time. These factors are used to develop projections for agent staffing based on time of day and day of week to ensure adequate staffing to answer a minimum of 85% of calls within 10 seconds.

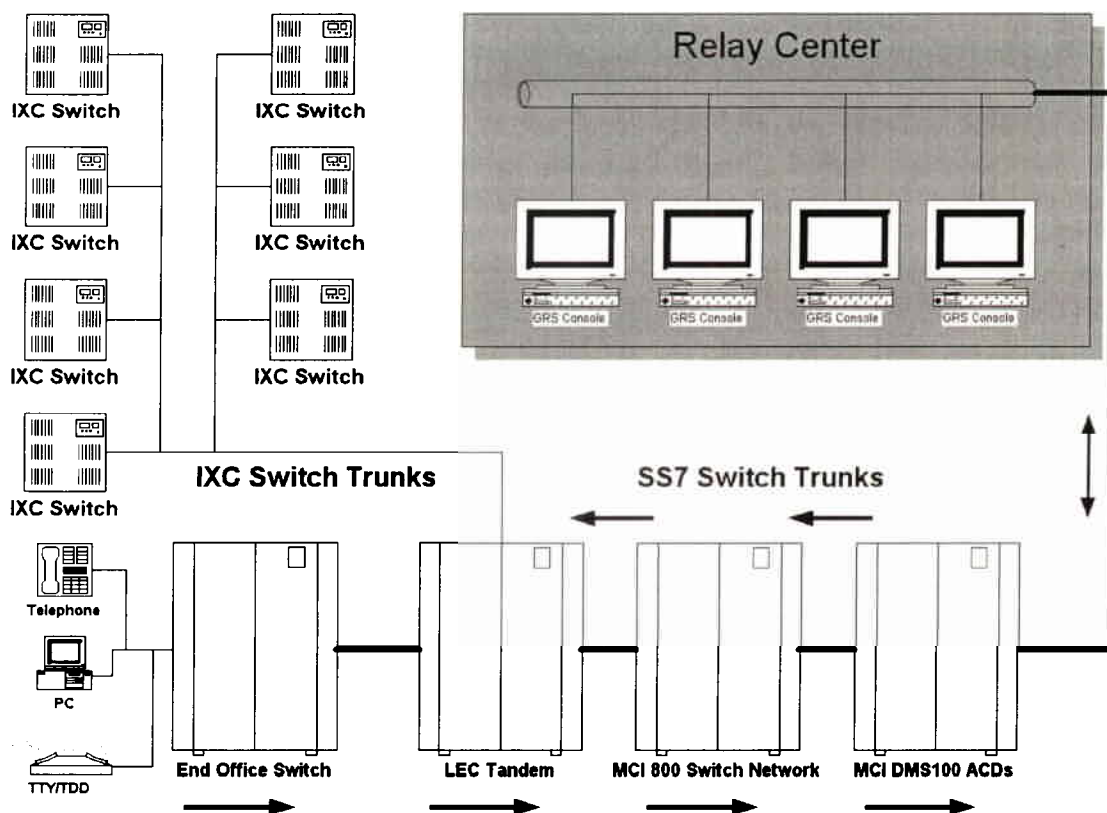
MCI includes abandoned call counts in its ASA calculations. ASA is measured from the time a call reaches the MCI switch and until it is answered by a CA who is ready to begin processing an outgoing call. Upon receiving a call, CAs immediately engage the user and to obtain the information required in order to complete the outgoing call.

MCI's relay platform provides adequate trunking to ensure that a P.01 standard for call blocking is met, and reports both ASA and call blocking on a daily and a monthly basis to the DDTP.

- (3) *Equal access to interexchange carriers.* TRS users shall have access to their chosen interexchange carrier through the TRS, and to all other operator services, to the same extent that such access is provided to voice users.

MCI provides for each caller's Interexchange Carrier (IXC) of choice, to the extent that the IXC can be identified and is willing to participate in TRS, by routing those requests to a LEC tandem that has IXC trunking. At the LEC tandem the trunking is switched over to the designated IXC who is provided with the Originating ANI, the Terminating ANI, Info Digits, and SS7 information including Caller ID. With that information the IXC is able to route and bill calls appropriately.

Since November of 2001, MCI has provided free long distance to CRS customers whose call is carried by MCI. If a customer has a pre-selected IXC or indicates a preferred carrier other than MCI, then the following graph illustrates the routing to a caller's choice of IXC:



- (4) *TRS facilities.* TRS shall operate every day, 24 hours a day. TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use. TRS shall transmit conversations between TTY and voice callers in real time. Adequate network facilities shall be used in conjunction with TRS so that under projected calling volume the probability of a busy response due to loop trunk congestion shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network. Relay services that are not mandated by this Commission are not required to be provided every day, 24 hours a day.

MCI provides the California Relay Service 24 hours per day, seven days per week, and uses a Nortel DMS100 ACD. The DMS100 operates in a dual processor mode providing sufficient redundancy to minimize the possibility technical failure. For redundancy, the DMS100 operates with both processors online simultaneously. In the event of a CPU failure, the second processor immediately handles calls with no interruption of service. The Nortel DMS100 has an uptime percentage of 99.99%.

MCI's California Relay Center has redundancy features that are functionally equivalent to the equipment found in normal central offices. MCI protects the facility against power outages with an uninterruptible power supply (UPS), a battery system, and a back-up diesel generator. This equipment is located at the facility. In the event of an outside loss of power to the center, the battery system and UPS are designed to maintain power for up to two hours (depending on load), or until the diesel generator takes over – generally in 2 minutes or less, thereby providing long-term power. The long-term generator backup can

maintain operations as long as needed with refueling. The UPS and back-up generator set support all critical functions at the center, including:

- ◆ Transmission equipment (channel banks, protection switches, radio equipment, ACD, channel service units, etc.)
- ◆ Local PBX and peripheral systems
- ◆ LAN and WAN connected devices including operator consoles and terminals, servers, gateways, Call Detail Record recording and collection systems, and communications elements
- ◆ Environmental systems including air conditioning, fire suppression, system alarms, emergency lighting systems including operator work site emergency lights.

The UPS provides support to these critical functions in the following way:

- ◆ All outside power runs directly through the UPS and battery system, and once it has flowed through the UPS, the outside power energizes the center.
- ◆ If there is a disruption in outside power, the UPS detects the disruption, and continues powering the center through the battery system, avoiding any interruption.
- ◆ Once the UPS begins delivering power to the center, it immediately utilizes the automatic transfer switch to activate the diesel generator. It takes approximately 2 minutes for the generator to start up and stabilize its output, and at that point the generator supplies power to the center in support of critical functions.

MCI's switched network is designed for an overall network availability objective of 99.6 percent or better. Individual network switches, including those responsible for network call distribution, are designed to meet availability objectives of at least 99.99 percent to minimize the probability of a busy response due to loop trunk congestion. MCI adheres to strict internal operating standards, frequent testing, and a highly fault-tolerant hierarchical switched network design that provides multiple routing choices for all switched calls.

(5) *Technology.* No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to person with disabilities. VCO and HCO technology are required to be standard features of TRS.

MCI provides VCO and HCO technology as a standard relay feature. MCI is proud of its innovation in developing and implementing Internet relay service and its successful effort in obtaining FCC recognition of IP Relay as an enhanced TRS feature.

(6) *Voice mail and interactive menus.* CAs must alert the TRS user to the presence of a recorded message and interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's TTY indicating that a recording or interactive menu has been encountered. Relay providers shall electronically capture recorded messages and retain them for the length of the call. Relay providers may not impose any charges for additional calls which must be made by the relay

user in order to complete calls involving recorded or interactive messages. Relay services shall be capable of handling pay-per-call calls.

MCI's relay platform allows the CA to record and respond to recorded messages and interactive menus. Automated messages are typically played at a high rate of speed, often greater than 200 words per minute. The captured-recording feature plays the message back to the CA at a variable rate that is under the CA's control. The playback feature also provides the CA natural-sounding speech, as opposed to distortion normally associated with slow play-back. The captured announcements or messages are not retained beyond the duration of the incoming call.

CAs retrieve messages from and leave messages on answering machines, and interact with other voice processing systems or voice driven menu systems if the outgoing call activates one. The caller must remain on the line for the process to be completed.

Following are the procedures for leaving messages on answering machines, voicemail or other automated voice message systems.

1. The CA immediately informs the caller when an answering machine has been reached by sending a pre-programmed message, (ANS MACH).
2. The CA relays the outgoing message from an answering machines or voice processing system unless requested otherwise by the caller.
3. The CA remains available to the customer for further instructions.
4. The CA leave the caller's message, or navigates the automated system as requested by the caller.
5. The CA confirms to the caller that the message has been left.

If charges are applicable, the caller is charged for only one call, regardless of the number of calls that may be required to completely convey or retrieve a message.

MCI provides a toll-free 900-access number into the relay center to enable callers access to pay-per-call services. MCI's system is designed to ensure that the caller is billed for any charges incurred. Using a 900-access number provides the caller with an additional safety measure in that it preserves the 900 blocking capabilities the caller may have requested through their LEC.

(c) Functional standards.

- (1) *Consumer complaint logs.* (i) States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution. (ii) Beginning July 1, 2002, states and TRS providers shall submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. Summaries of logs submitted to the Commission on July 1, 2001 shall indicate the number of complaints received from the date of OMB approval through May 31, 2001.

MCI complies with this requirement by maintaining a summary log of all complaints and by submitting the log to the state relay administrator. MCI submits to the FCC summaries of the log indicating the number of complaints received per the schedule prescribed by the FCC.

- (2) *Contact persons.* (i) States must submit to the Commission a contact person or office for TRS consumer information and complaints about intrastate TRS. This submission must include, at a minimum, the name and address of the state office that receives complaints, grievances, inquiries and suggestions, voice and TTY telephone numbers, fax number, e-mail address, and physical address to which correspondence should be sent. (2)(ii) Providers of interstate TRS and relay providers having state TRS contracts must submit to the Commission a contact person or office for TRS consumer information and complaints about the provider's service. This submission must include, at a minimum, the name and address of the office that receives complaints, grievances, inquiries and suggestions, voice and TTY telephone numbers, fax number, e-mail address, and physical address to which correspondence should be sent.

MCI complies with this requirement.

- (3) *Public access to information.* Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population.

MCI prints the CRS access number in local telephone directories and directory assistance listings throughout California. MCI has a team of outreach and education staff who are strategically located in California. The outreach team initiates, conducts and participates in activities throughout the state focusing primarily on educating the general public and "non-traditional" or potential relay users, such as people who are hard of hearing, late deafened, elderly and speech disabled, about the service.

- (4) *Rates.* TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination.

MCI currently provides free long distance to California Relay Service callers who select MCI as their carrier of choice or as the default carrier. MCI passes other billing records to the appropriate carrier for customer billing. Prior to the free long distance offering, and should MCI stop providing free long distance calling, MCI provided a 25% across-the-board discount to CRS users whose long distance calls are carried by MCI.

- (5) *Jurisdictional separation of costs.*

(i) *General*. Where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set forth in the Commission's regulations adopted pursuant to § 410 of the Communications Act of 1934, as amended.

(ii) *Cost recovery*. Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted below with respect to VRS, costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under § 64.605, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate VRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism.

(iii) *Telecommunications Relay Services Fund*. Effective July 26, 1993, an Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity selected by the Commission (administrator). The initial administrator, for an interim period, will be the National Exchange Carrier Association, Inc.

(A) *Contributions*. Every carrier providing interstate telecommunications services shall contribute to the TRS Fund on the basis of interstate end-user telecommunications revenues as described herein. Contributions shall be made by all carriers who provide interstate services, including, but not limited to, cellular telephone and paging, mobile radio, operator services, personal communications service (PCS), access (including subscriber line charges), alternative access and special access, packet-switched, WATS, 800, 900, message telephone service (MTS), private line, telex, telegraph, video, satellite, intraLATA, international and resale services.

(B) *Contribution computations*. Contributors' contribution to the TRS fund shall be the product of their subject revenues for the prior calendar year and a contribution factor determined annually by the Commission. The contribution factor shall be based on the ratio between expected TRS Fund expenses to interstate end-user telecommunications revenues. In the event that contributions exceed TRS payments and administrative costs, the contribution factor for the following year will be adjusted by an appropriate amount, taking into consideration projected cost and usage changes. In the event that contributions are inadequate, the fund administrator may request authority from the Commission to borrow funds commercially, with such debt secured by future years' contributions. Each subject carrier must contribute at least \$25 per year. Carriers whose annual contributions total less than \$1,200 must pay the entire contribution at the beginning of the contribution period. Service providers whose contributions total \$1,200 or more may divide their contributions into equal monthly payments. Carriers shall complete and submit, and contributions shall be based on, a "Telecommunications Reporting Worksheet" (as published by the Commission in the Federal Register). The worksheet shall be certified to by an officer of the contributor, and subject to verification by the Commission or the administrator at the discretion of the Commission. Contributors' statements in the worksheet shall be subject to the provisions of § 220 of the Communications Act of 1934, as amended. The fund administrator may bill contributors a separate assessment for reasonable administrative expenses and

interest resulting from improper filing or overdue contributions. The Chief of the Common Carrier Bureau may waive, reduce, modify or eliminate contributor reporting requirements that prove unnecessary and require additional reporting requirements that the Bureau deems necessary to the sound and efficient administration of the TRS Fund.

- (C) *Data collection from TRS Providers.* TRS providers shall provide the administrator with true and adequate data necessary to determine TRS fund revenue requirements and payments. TRS providers shall provide the administrator with the following: total TRS minutes of use, total interstate TRS minutes of use, total TRS operating expenses and total TRS investment in general accordance with Part 32 of the Communications Act, and other historical or projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements. The administrator and the Commission shall have the authority to examine, verify and audit data received from TRS providers as necessary to assure the accuracy and integrity of fund payments.
- (D) The TRS Fund will be subject to a yearly audit performed by an independent certified accounting firm or the Commission, or both.
- (E) *Payments to TRS Providers.* TRS Fund payments shall be distributed to TRS providers based on formulas approved or modified by the Commission. The administrator shall file schedules of payment formulas with the Commission. Such formulas shall be designed to compensate TRS providers for reasonable costs of providing interstate TRS, and shall be subject to Commission approval. Such formulas shall be based on total monthly interstate TRS minutes of use. TRS minutes of use for purposes of interstate cost recovery under the TRS Fund are defined as the minutes of use for completed interstate TRS calls placed through the TRS center beginning after call set-up and concluding after the last message call unit. In addition to the data required under paragraph (c)(5)(iii)(C) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments. The administrator shall establish procedures to verify payment claims, and may suspend or delay payments to a TRS provider if the TRS provider fails to provide adequate verification of payment upon reasonable request, or if directed by the Commission to do so. The TRS Fund administrator shall make payments only to eligible TRS providers operating pursuant to the mandatory minimum standards as required in § 64.604, and after disbursements to the administrator for reasonable expenses incurred by it in connection with TRS Fund administration. TRS providers receiving payments shall file a form prescribed by the administrator. The administrator shall fashion a form that is consistent with Parts 32 and 36 procedures reasonably tailored to meet the needs of TRS providers. The Commission shall have authority to audit providers and have access to all data, including carrier specific data, collected by the fund administrator. The fund administrator shall have authority to audit TRS providers reporting data to the administrator. The formulas should appropriately compensate interstate providers for the provision of VRS, whether intrastate or interstate.
- (F) TRS providers eligible for receiving payments from the TRS Fund are:

- (1) TRS facilities operated under contract with and/or by certified state TRS programs pursuant to § 64.605; or
 - (2) TRS facilities owned by or operated under contract with a common carrier providing interstate services operated pursuant to § 64.604; or
 - (3) Interstate common carriers offering TRS pursuant to § 64.604.
- (G) Any eligible TRS provider as defined in paragraph (c)(5)(iii) (F) of this section shall notify the administrator of its intent to participate in the TRS Fund thirty (30) days prior to submitting reports of TRS interstate minutes of use in order to receive payment settlements for interstate TRS, and failure to file may exclude the TRS provider from eligibility for the year.
- (H) *Administrator reporting, monitoring, and filing requirements.* The administrator shall perform all filing and reporting functions required under paragraphs (c)(5)(iii) (A) through (J) of this section. TRS payment formulas and revenue requirements shall be filed with the Commission on May 1 of each year, to be effective for a one-year period beginning the following July 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with the administration of TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM), and shall provide the Commission full access to all data collected pursuant to the administration of the TRS Fund. The administrator shall establish a non-paid, voluntary advisory committee of persons from the hearing and speech disability community, TRS users (voice and text telephone), interstate service providers, state representatives, and TRS providers, which will meet at reasonable intervals (at least semi-annually) in order to monitor TRS cost recovery matters. Each group shall select its own representative to the committee. The administrator's annual report shall include a discussion of advisory committee deliberations.
- (I) *Information filed with the administrator.* The administrator shall keep all data obtained from contributors and TRS providers confidential and shall not disclose such data in company-specific form unless directed to do so by the Commission. Subject to any restrictions imposed by the Chief of the Common Carrier Bureau, the TRS Fund administrator may share data obtained from carriers with the administrators of the universal support mechanisms (*See* 47 C.F.R. § 54.701), the North American Numbering Plan administration cost recovery (*See* 47 C.F.R. § 52.16), and the long-term local number portability cost recovery (*See* 47 C.F.R. § 52.32). The TRS Fund administrator shall keep confidential all data obtained from other administrators. The administrator shall not use such data except for purposes of administering the TRS Fund, calculating the regulatory fees of interstate common carriers, and aggregating such fee payments for submission to the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers. Contributors may make requests for Commission nondisclosure of company-specific revenue information under § 0.459 of this Chapter by so indicating on the Telecommunications Reporting Worksheet at the time that the subject data are submitted. The Commission shall make all decisions regarding nondisclosure of company-specific information.

- (J) The administrator's performance and this plan shall be reviewed by the Commission after two years.
- (K) All parties providing services or contributions or receiving payments under this section are subject to the enforcement provisions specified in the Communications Act, the Americans with Disabilities Act, and the Commission's rules.

MCI complies with this requirement.

(6) *Complaints.*

- (i) *Referral of complaint.* If a complaint to the Commission alleges a violation of this subpart with respect to intrastate TRS within a state and certification of the program of such state under § 64.605 is in effect, the Commission shall refer such complaint to such state expeditiously.
- (ii) Intrastate complaints shall be resolved by the state within 180 days after the complaint is first filed with a state entity, regardless of whether it is filed with the state relay administrator, a state PUC, the relay provider, or with any other state entity.
- (iii) *Jurisdiction of Commission.* After referring a complaint to a state entity under paragraph (c)(6)(i) of this section, or if a complaint is filed directly with a state entity, the Commission shall exercise jurisdiction over such complaint only if:
 - (A) Final action under such state program has not been taken within:
 - (1) 180 days after the complaint is filed with such state entity; or
 - (2) A shorter period as prescribed by the regulations of such state; or
 - (B) The Commission determines that such state program is no longer qualified for certification under § 64.605.
- (iv) The Commission shall resolve within 180 days after the complaint is filed with the Commission any interstate TRS complaint alleging a violation of section 225 of the Act or any complaint involving intrastate relay services in states without a certified program. The Commission shall resolve intrastate complaints over which it exercises jurisdiction under paragraph (c)(6)(iii) of this section within 180 days.
- (v) *Complaint Procedures.* Complaints against TRS providers for alleged violations of this subpart may be either informal or formal.
 - (A) *Informal Complaints.*
 - (1) *Form.* An informal complaint may be transmitted to the Consumer Information Bureau by any reasonable means, such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate a complainant's hearing or speech disability.
 - (2) *Content.* An informal complaint shall include the name and address of the complainant; the name and address of the TRS provider against whom the complaint is made; a statement of facts supporting the complainant's allegation that the TRS provided it has violated or is violating § 225 of the Act and/or requirements under the Commission's rules; the specific relief or satisfaction sought by the complainant; and the complainant's preferred format or method of response to the complaint by the Commission and the defendant TRS provider (such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate the complainant's hearing or speech disability).

- (3) Service; designation of agents. The Commission shall promptly forward any complaint meeting the requirements of this subsection to the TRS provider named in the complaint. Such TRS provider shall be called upon to satisfy or answer the complaint within the time specified by the Commission. Every TRS provider shall file with the Commission a statement designating an agent or agents whose principal responsibility will be to receive all complaints, inquiries, orders, decisions, and notices and other pronouncements forwarded by the Commission. Such designation shall include a name or department designation, business address, telephone number (voice and TTY), facsimile number and, if available, internet e-mail address.
- (B) *Review and disposition of informal complaints.*
- (1) Where it appears from the TRS provider's answer, or from other communications with the parties, that an informal complaint has been satisfied, the Commission may, in its discretion, consider the matter closed without response to the complainant or defendant. In all other cases, the Commission shall inform the parties of its review and disposition of a complaint filed under this subpart. Where practicable, this information shall be transmitted to the complainant and defendant in the manner requested by the complainant (e.g., letter, facsimile transmission, telephone (voice/TRS/TTY) or Internet e-mail.
 - (2) A complainant unsatisfied with the defendant's response to the informal complaint and the staff's decision to terminate action on the informal complaint may file a formal complaint with the Commission pursuant to subsection (v)(C) below.
- (C) *Formal Complaints.* A formal complaint shall be in writing, addressed to the Federal Communications Commission, Enforcement Bureau, Telecommunications Consumer Division, Washington, D.C. 20554 and shall contain:
- (1) The name and address of the complainant,
 - (2) The name and address of the defendant against whom the complaint is made,
 - (3) A complete statement of the facts, including supporting data, where available, showing that such defendant did or omitted to do anything in contravention of this subpart, and
 - (4) The relief sought.
- (D) *Amended complaints.* An amended complaint setting forth transactions, occurrences or events which have happened since the filing of the original complaint and which relate to the original cause of action may be filed with the Commission.
- (E) *Number of copies.* An original and two copies of all pleadings shall be filed.
- (F) *Service.*
- (1) Except where a complaint is referred to a state pursuant to §64.604(c)(6)(i), or where a complaint is filed directly with a state entity, the Commission will serve on the named party a copy of any complaint or amended complaint filed with it, together with a notice of the filing of the complaint. Such notice shall call upon the defendant to satisfy or answer the complaint in writing within the time specified in said notice of complaint.
 - (2) All subsequent pleadings and briefs shall be served by the filing party on all other parties to the proceeding in accordance with the requirements of § 1.47 of

this chapter. Proof of such service shall also be made in accordance with the requirements of said section.

- (G) *Answers to complaints and amended complaints.* Any party upon whom a copy of a complaint or amended complaint is served under this subpart shall serve an answer within the time specified by the Commission in its notice of complaint. The answer shall advise the parties and the Commission fully and completely of the nature of the defense and shall respond specifically to all material allegations of the complaint. In cases involving allegations of harm, the answer shall indicate what action has been taken or is proposed to be taken to stop the occurrence of such harm. Collateral or immaterial issues shall be avoided in answers and every effort should be made to narrow the issues. Matters alleged as affirmative defenses shall be separately stated and numbered. Any defendant failing to file and serve an answer within the time and in the manner prescribed may be deemed in default.
- (H) *Replies to answers or amended answers.* Within 10 days after service of an answer or an amended answer, a complainant may file and serve a reply which shall be responsive to matters contained in such answer or amended answer and shall not contain new matter. Failure to reply will not be deemed an admission of any allegation contained in such answer or amended answer.
- (I) *Defective pleadings.* Any pleading filed in a complaint proceeding that is not in substantial conformity with the requirements of the applicable rules in this subpart may be dismissed.

MCI follows up and resolves each complaint as expeditiously and thoroughly as possible. Should a complaint be filed with or escalated to the FCC, MCI will comply with these minimum standards.

- (7) *Treatment of TRS customer information.* All future contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.

MCI does not use customer profile data for any purpose other than to connect the caller with requested called parties, and maintains the confidentiality of caller profile data in a secure database. MCI has provided customer profile database information in usable form to an incoming vendor at least 60 days prior to MCI's last day of service provision, and agrees to comply with this minimum requirement in all future service transitions.

§ 64.605 State Certification.

- (a) *State documentation.* Any state, through its office of the governor or other delegated executive office empowered to provide TRS, desiring to establish a state program under this section shall submit, not later than October 1, 1992, documentation to the Commission addressed to the Federal Communications Commission, Chief, Common

Carrier Bureau, TRS Certification Program, Washington, DC 20554, and captioned "TRS State Certification Application." All documentation shall be submitted in narrative form, shall clearly describe the state program for implementing intrastate TRS, and the procedures and remedies for enforcing any requirements imposed by the state program. The Commission shall give public notice of states filing for certification including notification in the Federal Register.

- (b) *Requirements for certification.* After review of state documentation, the Commission shall certify, by letter, or order, the state program if the Commission determines that the state certification documentation:
 - (1) Establishes that the state program meets or exceeds all operational, technical, and functional minimum standards contained in § 64.604;
 - (2) Establishes that the state program makes available adequate procedures and remedies for enforcing the requirements of the state program, including that it makes available to TRS users informational materials on state and Commission complaint procedures sufficient for users to know the proper procedures for filing complaints; and
 - (3) Where a state program exceeds the mandatory minimum standards contained in § 64.604, the state establishes that its program in no way conflicts with federal law.
- (c) *Certification period.* State certification shall remain in effect for five years. One year prior to expiration of certification, a state may apply for renewal of its certification by filing documentation as prescribed by paragraphs (a) and (b) of this section.
- (d) *Method of funding.* Except as provided in § 64.604, the Commission shall not refuse to certify a state program based solely on the method such state will implement for funding intrastate TRS, but funding mechanisms, if labeled, shall be labeled in a manner that promote national understanding of TRS and do not offend the public.
- (e) *Suspension or revocation of certification.* The Commission may suspend or revoke such certification if, after notice and opportunity for hearing, the Commission determines that such certification is no longer warranted. In a state whose program has been suspended or revoked, the Commission shall take such steps as may be necessary, consistent with this subpart, to ensure continuity of TRS. The Commission may, on its own motion, require a certified state program to submit documentation demonstrating ongoing compliance with the Commission's minimum standards if, for example, the Commission receives evidence that a state program may not be in compliance with the minimum standards.
- (f) *Notification of substantive change.* States must notify the Commission of substantive changes in their TRS programs within 60 days of when they occur, and must certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.

Weighted Average Speed Of Answer Report

08/13/02 14:04

MCI

July, 2002

Weighted Average Speed Of Answer Report

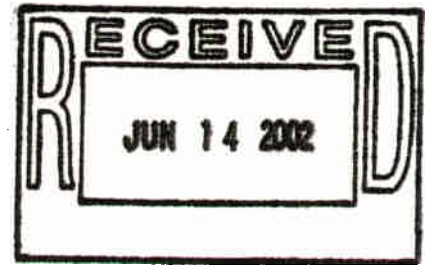
Month: July, 2002				State: California				ASA: 1.9				Requirement: 7 Seconds or Less							
Chandler				Holyoke				Madison				Memphis				Riverbank			
Date	NCH	ASA	WT	NCH	ASA	WT	NCH	ASA	WT	NCH	ASA	WT	NCH	ASA	WT	Total NCH	Total Weight	Daily ASA	
1	0	0.0	0	0	0	0	0	0.0	0	0	0	0	18174	2.8	50160	18174	50160	2.8	
2	0	0.0	0	0	0	0	0	0.0	0	0	0	0	17634	1.3	23101	17634	23101	1.3	
3	0	0.0	0	0	0	0	0	0.0	0	0	0	0	17171	2.3	39665	17171	39665	2.3	
4	0	0.0	0	0	0	0	0	0.0	0	0	0	0	10761	1.8	18939	10761	18939	1.8	
5	0	0.0	0	0	0	0	0	0.0	0	0	0	0	15840	0.8	13147	15840	13147	0.8	
6	0	0.0	0	0	0	0	0	0.0	0	0	0	0	11955	2.2	26181	11955	26181	2.2	
7	0	0.0	0	0	0	0	0	0.0	0	0	0	0	11332	1.2	13032	11332	13032	1.2	
8	0	0.0	0	0	0	0	0	0.0	0	0	0	0	18709	1.9	35360	18709	35360	1.9	
9	0	0.0	0	0	0	0	0	0.0	0	0	0	0	17051	1.9	31544	17051	31544	1.8	
10	0	0.0	0	0	0	0	0	0.0	0	0	0	0	16832	3.3	55041	16832	55041	3.3	
11	0	0.0	0	0	0	0	0	0.0	0	0	0	0	16145	3.0	48435	16145	48435	3.0	
12	0	0.0	0	0	0	0	0	0.0	0	0	0	0	16976	3.0	51268	16976	51268	3.0	
13	0	0.0	0	0	0	0	0	0.0	0	0	0	0	12542	2.5	31731	12542	31731	2.5	
14	0	0.0	0	0	0	0	0	0.0	0	0	0	0	11110	1.3	14443	11110	14443	1.3	
15	0	0.0	0	0	0	0	0	0.0	0	0	0	0	17396	3.5	61408	17396	61408	3.5	
16	0	0.0	0	0	0	0	0	0.0	0	0	0	0	17418	1.4	23688	17418	23688	1.4	
17	0	0.0	0	0	0	0	0	0.0	0	0	0	0	16274	1.3	20831	16274	20831	1.3	
18	4	2.8	11	0	0	0	2	2.8	6	0	0	0	16615	2.8	46356	16621	46373	2.8	
19	0	0.0	0	0	0	0	1	1.2	1	0	0	0	16563	1.2	19710	16564	19711	1.2	
20	0	0.0	0	0	0	0	0	0.0	0	0	0	0	12189	1.2	15114	12189	15114	1.2	
21	0	0.0	0	0	0	0	0	0.0	0	0	0	0	10903	2.7	28893	10903	28893	2.7	
22	0	0.0	0	0	0	0	1	2.7	3	0	0	0	17845	2.7	48895	17846	48896	2.7	
23	0	0.0	0	0	0	0	0	0.0	0	0	0	0	17163	0.7	11156	17163	11156	0.7	
24	0	0.0	0	0	0	0	0	0.0	0	0	0	0	16710	1.1	18548	16710	18548	1.1	
25	0	0.0	0	0	0	0	0	0.0	0	0	0	0	16148	2.0	32135	16148	32135	2.0	
26	0	0.0	0	0	0	0	0	0.0	0	0	0	0	16320	1.9	31661	16320	31661	1.9	
27	0	0.0	0	0	0	0	0	0.0	0	0	0	0	12309	2.5	31265	12309	31265	2.5	
28	0	0.0	0	0	0	0	0	0.0	0	0	0	0	10803	2.7	28628	10803	28628	2.7	
29	0	0.0	0	0	0	0	0	0.0	0	0	0	0	18004	2.0	36008	18004	36008	2.0	
30	0	0.0	0	0	0	0	0	0.0	0	0	0	0	17697	0.5	8672	17697	8672	0.5	
31	0	0.0	0	0	0	0	0	0.0	0	0	0	0	17075	0.6	10416	17075	10416	0.6	
TOTAL	4	2.8	11	0	0.00	0	4	2.2	10	0	0.00	0	479,664	1.9	925,431	479,672	925,432	1.9	

July, 2002

Daily/Monthly Blockage Rate

Daily Blockage Requirement: 1% or Less

Chandler	Holyoke		Madison		Memphis		Haverbank		TOTAL		BUCKRIDGE	
	NCO	Blocked	NCO	Blocked	NCO	Blocked	NCO	Blocked	NCO	Blocked	TOTAL	%
1	0	0	0	0	0	0	0	0	18866	986	18866	4.96%
2	0	0	0	0	0	0	0	17943	1	17943	1	0.01%
3	0	0	0	0	0	0	0	17781	3	17781	3	0.02%
4	0	0	0	0	0	0	0	11137	2	11137	2	0.02%
5	0	0	0	0	0	0	0	16024	3	16024	3	0.02%
6	0	0	0	0	0	0	0	12411	5	12411	5	0.04%
7	0	0	0	0	0	0	0	11612	1	11612	1	0.01%
8	0	0	0	0	0	0	0	19153	4	19153	4	0.02%
9	0	0	0	0	0	0	0	17498	3	17498	3	0.02%
10	0	0	0	0	0	0	0	17579	1	17579	1	0.01%
11	0	0	0	0	0	0	0	16810	6	16810	6	0.04%
12	0	0	0	0	0	0	0	17649	4	17649	4	0.02%
13	0	0	0	0	0	0	0	12980	1	12980	1	0.01%
14	0	0	0	0	0	0	0	11353	2	11353	2	0.02%
15	0	0	0	0	0	0	0	18730	2275	18730	2275	10.83%
16	0	0	0	0	0	0	0	17759	1	17759	1	0.01%
17	0	0	0	0	0	0	0	16603	1	16603	1	0.01%
18	4	0	0	0	2	0	0	17182	8	17182	8	0.05%
19	0	0	0	0	1	0	0	16839	3	16839	3	0.02%
20	0	0	0	0	0	0	0	12487	0	12487	0	0.00%
21	0	0	0	0	0	0	0	11411	4	11411	4	0.04%
22	0	0	0	0	1	0	0	18393	2	18394	2	0.01%
23	0	0	0	0	0	0	0	17320	1	17320	1	0.01%
24	0	0	0	0	0	0	0	16980	1	16980	1	0.01%
25	0	0	0	0	0	0	0	16591	4	16591	4	0.02%
26	0	0	0	0	0	0	0	16801	4	16801	4	0.02%
27	0	0	0	0	0	0	0	12810	4	12810	4	0.03%
28	0	0	0	0	0	0	0	11300	5	11300	5	0.04%
29	0	0	0	0	0	0	0	18352	1	18352	1	0.01%
30	0	0	0	0	0	0	0	17802	0	17802	0	0.00%
31	0	0	0	0	0	0	0	17175	1	17175	1	0.01%
TOTAL	4	0	0	0	4	0	0	493,340	3,337	493,348	3,337	0.67%



**FCC Summary Log
For
California Relay Service
June 1, 2001 to May 31, 2002**

Number of Complaints received from June 1, 2001 to May 31, 2002

June '01	July '01	Aug '01	Sept '01	Oct '01	Nov '01	Dec '01	Jan '02	Feb '02	Mar '02	Apr '02	May '02
149	120	165	112	243	171	106	110	66	108	115	170

The total Number of Complaints for this reporting period was 1,635. Complaints are followed up and resolved in a timely manner.

